

§0.441

from the data bases and can be used as an alternative research source to the Broadcast Application Processing System (BAPS).

[64 FR 60722, Nov. 8, 1999]

PUBLIC INFORMATION AND INSPECTION OF RECORDS

§0.441 General.

Any person desiring to obtain information may do so by contacting the Consumer and Governmental Affairs Bureau. Requests for information, general inquiries, and complaints may be submitted by:

(a) Internet at *www.fcc.gov/CIB/FCCINFO* or *ftp.fcc.gov/CIB/FCCINFO*.

(b) Telephone at 1-(888) CALLFCC (1-888-225-5322).

(c) TDD/TDY at (202) 418-0484.

(d) Correspondence at: Consumer and Governmental Affairs Bureau, P.O. Box FCC, 445 12th Street, SW., Washington, DC 20554.

(e) Visiting the Reference Information Center of the Consumer and Governmental Affairs Bureau at the Commission's main office in Washington, DC.

[64 FR 60723, Nov. 8, 1999, as amended at 67 FR 13221, Mar. 21, 2002]

§0.442 Disclosure to other Federal government agencies of information submitted to the Commission in confidence.

(a) The disclosure of records to other Federal government agencies is generally governed by 44 U.S.C. 3512 and 3510(b) rather than the Freedom of Information Act. The acceptance of materials in confidence under §0.457 or §0.459 does not provide assurance against their disclosure to other agencies.

(b) Information submitted to the Commission in confidence pursuant to §0.457(c) (2) and (3), (d) and (g) or §0.459 will be disclosed to other agencies of the Federal government upon request: *Provided* (1) Specific Commission assurances against such disclosure have not been given, (2) the other agency has established a legitimate need for the information, (3) disclosure is made subject to the provisions of 44 U.S.C. 3510(b), and (4) disclosure is not prohib-

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ited by the Privacy Act or other provisions of law.

(c) The Commission's staff may give assurances against disclosure of information to other Federal agencies only with the prior written approval of the General Counsel. In no event will assurance against disclosure to other agencies be given in advance of submission of the information to the Commission if submission is required by statute or by the provisions of this chapter; but the notice provisions of paragraph (d) of this section will apply to such information.

(d)(1) Except as provided in paragraphs (d)(2) and (d)(3) of this section, a party who furnished records to the Commission in confidence will be notified at the time that the request for disclosure is submitted and will be afforded 10 days in which to oppose disclosure.

(2) If the agency requesting the records states to the satisfaction of the Commission that notice to the party who furnished the records to the Commission will interfere unduly with its law enforcement activities and further states that it will notify that party of the Commission's disclosure once the potential for such interference is eliminated, the Commission will not give notice of disclosure.

(3) A party who furnished records to the Commission in confidence under §0.457(d) or 0.459 will not be afforded prior notice when the disclosure is made to the Comptroller General. Such a party will instead be notified of disclosure of the records to the Comptroller General either individually or by public notice.

(4) If disclosure is opposed and the Commission decides to make the records available to the other agency, the party who furnished the records to the Commission will be afforded ten (10) working days from the date of the ruling in which to move for a judicial stay of the Commission's action. If he does not move for stay within this period, the records will be disclosed.

(e) Except as provided in paragraph (d)(3) of this section, nothing in this section is intended to govern disclosure